



# COUNTY OF DARE

Office of the Board of Commissioners  
P.O. Box 1000, Manteo, North Carolina 27954

Warren Judge  
*Chairman*

Allen Burrus  
*Vice-Chairman*

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Frances W. Harris  
*Clerk to the Board*

Robert L. Outten  
*County Attorney*

September 17, 2007

Mr. James N. Connaughton  
Chairman, Council on Environmental Quality  
722 Jackson Place, N.W.  
Washington, D.C. 20503

Re: Bonner Bridge Replacement  
Dare County, North Carolina

Dear Chairman Connaughton:

I am writing to you on behalf of the Dare County Board of Commissioners concerning the proposed replacement of the Herbert C. Bonner Bridge across Oregon Inlet here in Dare County, North Carolina. We recently received a copy of a letter from the Southern Environmental Law Center requesting that you intervene and investigate the lawfulness of the Bonner Bridge NEPA process.

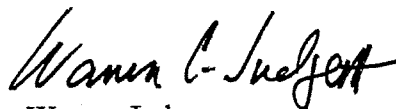
As back ground, the Herbert C. Bonner Bridge is the sole access to the more than 4,000 residents of Hatteras Island and to the nearly 2.5 million annual visitors to the Cape Hatteras National Seashore. The bridge was built in 1963 and all agree that it is well beyond its useful life and requires replacement. Two alternatives for replacement have been reviewed. One has been deemed the "long bridge alternative" which is an approximately 17 mile long bridge across the Pamlico Sound which will cost more than one billion dollars to construct. The other alternative is the "short bridge alternative" which is a bridge which parallels the existing Oregon Inlet Bridge which can be constructed at a cost of approximately six hundred million dollars. The funding for the long bridge alternative is not available and is unlikely to be available. The funding for the short bridge alternative has been budgeted and is available.

It is our understanding of the law that your role is to reconcile differences between federal agencies. It is also my understanding that you are only authorized to intervene upon the request of Congress or those agencies. The Southern Environmental Law Center and the Audubon Society are certainly not federal agencies. Whether or not our understating of the law is correct, I am writing on behalf of the Dare County Board of Commissioners and the people of Hatteras Island to request that you refrain from exercising any jurisdiction over this process and allow the project to proceed through the permitting process as was agreed by all parties. It is our belief that to do otherwise would be a grave injustice. To do otherwise would allow groups, such as the

Southern Environmental Law Center, to participate in the process and at the conclusion of the process if their view is not adopted, to use you and your office as the trump card to circumvent all of the work that has been done and the decisions that have been made.

After nearly 16 years of study and review by numerous state and federal officials, and more importantly, after following the process and procedures that all parties agreed to follow, the short bridge alternative has been chosen as the appropriate manner in which to replace the bridge. After 16 years of study and after a decision has finally been made, following processes agreed to by all, we find it ironic that the Southern Environmental Law Center, who participated in this process, would write you a letter asking you to intervene to circumvent the entire process and once again delay this long needed bridge replacement. The health, safety and welfare of the people of Hatteras Island and the millions of annual visitors is of no concern to the Southern Environmental Law Center and others who would continue to look for ways to delay this much needed and long overdue bridge replacement. The safety of our residents and visitors is of vital importance to the Dare County Commissioners and we ask once again that you refrain from intervening in this process.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Warren C. Judge". The signature is fluid and cursive, with the first name "Warren" being more prominent than the last name "Judge".

Warren Judge  
Chairman, Dare County Board of Commissioners



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September 17, 2007

The Honorable Roy Cooper  
Attorney General  
State of North Carolina  
9001 Mail Service Center  
Raleigh, NC 27699-9001

Re: Oregon Inlet Bridge Replacement

Dear Attorney General Cooper

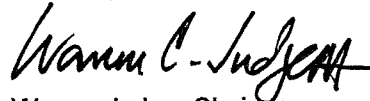
I am writing to you on behalf of the Dare County Board of Commissioners concerning the replacement of the Bonner Bridge over Oregon Inlet. As I am sure you are aware, the Herbert C. Bonner Bridge is the sole access to the more than 4,000 residents of Hatteras Island and to the nearly 2.5 million annual visitors to the Cape Hatteras National Seashore. The bridge was built in 1963 and all agree that it is well beyond its useful life and requires replacement. Two alternatives for replacement have been reviewed. One has been deemed the "long bridge alternative" which is an approximately 17 mile long bridge across the Pamlico Sound which will cost more than one billion dollars to construct. The other alternative is the "short bridge alternative" which is a bridge which parallels the existing Oregon Inlet Bridge which can be constructed at a cost of approximately six hundred million dollars. The funding for the long bridge alternative is not available and is unlikely to be available. The funding for the short bridge alternative has been budgeted and is available.

As you may also be aware, because of the controversy over the location of the bridge, all of the interested parties agreed upon a procedure to determine the final bridge location. That process concluded recently and the short bridge alternative was chosen as the appropriate location. The Southern Environmental Law Center and the Audubon Society are now attempting to have the Federal Council on Environmental Quality intervene to prevent the construction of the short bridge and to circumvent the process in which they participated. While we do not believe the Council on Environmental Quality has the authority to intervene, we are concerned that these groups can circumvent the process to achieve their goals, to the detriment of the public.

I am writing to you at this time to request that you look into the actions of the Southern Environmental Law Center and the Audubon Society to determine if there is any violation of State or Federal law in their attempts to further delay this long needed bridge replacement and to continue to put the health and safety of Hatteras Island residents and visitors at risk. We would also like to know if those groups have any risk of liability if the bridge fails as result of their efforts to delay construction and people are injured or lives are lost.

Thank you for your assistance in this matter of great importance to the citizens of Hatteras Island and the people of Dare County.

Sincerely,

A handwritten signature in black ink, appearing to read "Warren C. Judge". The signature is fluid and cursive, with a long horizontal stroke at the end.

Warren Judge, Chairman  
Dare County Board of Commissioners